

ATTORNEY PRIVILEGED

Donald J. Cohn, Esq.
Webster & Sheffield
One Rockefeller Plaza
New York, New York 10020

August 4, 1978

Dear Don:

Re: Proposed New Industry Advertisement

As a recent meeting of the Committee of Counsel which was held jointly with the Communications Committee, Reynolds made a presentation along with BBD&O in which they proposed the following headline:

OTHER PEOPLE'S SMOKE HAS NOT BEEN SHOWN
TO CAUSE DISEASE IN NON-SMOKERS

There was also additional copy substantiating the above statement. Max Crohn, General Counsel at Reynolds, is going to send me a complete copy of the ad.

Apparently this ad that will be forthcoming is somewhat similar in content to an ad which was proposed by the Communications Committee of the Institute last year which was called "The Other Side. Second-hand smoke - is it harmful?" (copy attached). The latter ad was not approved by Bill Shinn, you or the Committee of Counsel.

I also attach a copy of an ad entitled "A Frank Statement to Cigarette Smokers". This ad was run by the Tobacco Institute Research Committee and was sponsored by all of the manufacturers except for our Company. I am not sure of the date when it was run, but it was probably back around 1957 or 1958. I believe that Fred Haas advised me that both you and he had rejected the ad for various reasons which appear to be obvious.

With regard to the new proposed ad with the headline as set forth above, apparently Bill Shinn, Stan Tenko and Max Crohn have approved of the headline and the supporting copy. I advised

Plf in
8/17/78
NYC
[Signature]

Donald J. Cohn, Esq.

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the Committee of Counsel and the Communications Committee that our litigation counsel had not had the opportunity to review the ad, and before the same could be considered for dissemination, you would have to review it and approve or disapprove it.

As soon as I receive the full ad from Max Crohn, I will forward the same promptly to you for your review and comments.

Sincerely,



att.

cc (w/a): Francis K. Decker, Jr., Esq.

bcc (w/a): Messrs. Dey ✓
Hooker/Legal Files
Provost
Robinson
Seidensticker

Antismoking groups frequently claim that smoking should be suppressed because second-hand "tar" can "train" the nonsmoker. The other side of this issue is widely heard. The following article appeared in the San Francisco Examiner of Aug. 11, 1977.

By Charles H. Hise, M.D.

AS A MEDICAL SCIENTIST involved in research, I have been asked more and more often if I have comment on legislation now pending in the California Legislature to prohibit or restrict smoking in all places of employment and most places to which the public has access.

Senator Hall 500, now under consideration by our Legislature, begins with these words:

Senate Bill 500, now under consideration by our Legislature, begins with these words: "The Legislature finds and declares that tobacco smoke and smoke from other plants is harmful to the health, comfort and enjoyment of non-smokers."

The Legislature may not doubt that tobacco smoke is disturbing to the comfort and threatened enjoyment of non-smokers, but to declare it harmful to the health of non-smokers constitutes medical facts.

A non-smoker cannot equal a cancer or other diseases. (non-smoker) (non-smoker)

Before further addressing the question of disease, it is necessary to dispel several misconceptions about adult death between smoke.

Firstly, because it is diluted by the environment, it is not "more toxic" than the stroke induced by the smoker.

In addition, any attempt to measure employment failure to smoke must take into account complex variables such as smoke

Another misconception is that the exposure of a non-smoker can be measured in terms of a specific number of cigarettes. Although misleading, the concept of using a given number of cigarettes is understandable, especially for lay persons and non-medical individuals.

However, such an extrapolation involves highly speculative thoughts and is usually based upon anecdotal experiments.

Apart from a discussion of disease, there probably are physical mutations involved with exposure to high concentrations of tobacco smoke.

This may be caused by constituents of tobacco smoke like ammonia, nicotine and aldehydes, especially when they are coupled with water, dry air.

It is not inconceivable that the color and high visibility of tobacco smoke play a part in the adverse reaction of some non-smokers to tobacco smoke.

Unfortunately, the finite evidence available that such is the case does not assist. While there have been some experiments which

in the animal model experiments, these studies employ experimental conditions which are not typical of those found in life.

The results of the change in the flow of wood production may explain why the peak in the growth of spruce is found in the same old forest as spruce and not in a more disturbed area, as the spruce stands

It is of interest to note that among the observations of scientists who have generally expressed sympathy for neo-Confucianism:

For example, Dr. E. Chester Hamner, vice president, Epidemiology and Statistical Research, of the American Cancer Society, addressed the International Conference on Public Education About Cancer in Moscow in 1974.

A delegate asked the Harmon Services of the Institute of Tobacco to sponsor non-smokers who objected to the official summit proceedings of the conference to protect

The Hammond stated that the new as the shield of explain that "non-smoker can get cancer from second hand smoke and the it is

lot of evidence that he gained. He told of the biggest pressure smoking habitations of smoke by non-smokers could cause cancer is dishonest, and that he would be prepared to

The Chicago School Board, chairman of the National Union of Adversary Board and past-president of the American Cancer Society, is another pro-stem cell spokesman for the anti-abortion movement. He declared:

"I do not have a formal experience in that direction but it has been a helpful effort from smoking in the past smoker." To my knowledge, it is not, in fact, naturally learned.

The "Journal of Preventive Medicine" is written for the general medical readership.

It appears that passive smokers had a reduced risk of developing lung cancer, even when non-smokers or smokers do not increase their risk for chronic diseases, such as heart or lung disease, by taking a breath of the cigarette smoke. This may be a result of the protective effect of the antioxidants in the smoke.

The Ernest Webster of the American Health Foundation is one of the major scientific voices of the anti-smoking movement. He says of the book:

Passive smoking is an undeniable concern, but it has no influence on the fertility.

California's legislators face a political dead-end unless they pass what some politicians find disagreeable or disturbing.

To proceed on such a law process is to jeopardize the health of your company as a primary contributor to your bottom line. The argument of research is tedious and provides a second set of life issues upon which the purpose of your test.

1776 K St. N.W., Washington, D.C. 20006

This information is reprinted as a public service in the belief that controversial questions about smoking must be answered by scientific research and new knowledge and that full, free and informed public discussion is in the public interest.

A Frank Statement to Cigarette Smokers

RECENT REPORTS on experiments with mice have given wide publicity to a theory that cigarette smoking is in some way linked with lung cancer in human beings.

Although conducted by doctors of professional standing, these experiments are not regarded as conclusive in the field of cancer research. However, we do not believe that any serious medical research, even though its results are inconclusive should be disregarded or lightly dismissed.

At the same time, we feel it is in the public interest to call attention to the fact that eminent doctors and research scientists have publicly questioned the claimed significance of these experiments.

Distinguished authorities point out:

1. That medical research of recent years indicates many possible causes of lung cancer.
2. That there is no agreement among the authorities regarding what the cause is.
3. That there is no proof that cigarette smoking is one of the causes.
4. That statistics purporting to link cigarette smoking with the disease could apply with equal force to any one of many other aspects of modern life. Indeed the validity of the statistics themselves is questioned by numerous scientists.

We accept an interest in people's health as a basic responsibility, paramount to every other consideration in our business.

✓ We believe the products we make are not injurious to health.

We always have and always will cooperate closely with those whose task it is to safeguard the public health.

For more than 300 years tobacco has given solace, relaxation, and enjoyment to mankind. At one time or another during those years critics have held it responsible for practically every disease of the human body. One by one these charges have been abandoned for lack of evidence.

Regardless of the record of the past, the fact that cigarette smoking today should even be suspected as a cause of a serious disease is a matter of deep concern to us.

Many people have asked us what we are doing to meet the public's concern aroused by the recent reports. Here is the answer:

1. We are pledging aid and assistance to the research effort into all phases of tobacco use and health. This joint financial aid will of course be in addition to what is already being contributed by individual companies.
2. For this purpose we are establishing a joint industry group consisting initially of the undersigned. This group will be known as TOBACCO INDUSTRY RESEARCH COMMITTEE.
3. In charge of the research activities of the Committee will be a scientist of unimpeachable integrity and national repute. In addition there will be an Advisory Board of scientists disinterested in the cigarette industry. A group of distinguished men from medicine, science, and education will be invited to serve on this Board. These scientists will advise the Committee on its research activities.

This statement is being issued because we believe the people are entitled to know where we stand on this matter and what we intend to do about it.

TOBACCO INDUSTRY RESEARCH COMMITTEE

3400 EMPIRE STATE BUILDING, NEW YORK 1, N. Y.

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